

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX



IN THE MATTER OF:

ZKW TRADING CORP.

218 W. Garvey Ave. Ste I
Monterey Park, Ca

RESPONDENT

Docket No. RCRA-09-2010-0003

NOTICE OF WITHDRAWAL OF COMPLAINT WITHOUT PREJUDICE

1. Complainant, the Division Director, Enforcement and Compliance Assurance Division, United States Environmental Protection Agency, Region IX (“EPA”), provides notice of withdrawal with prejudice of: (1) the Determination of Violation, Compliance Order and Notice of Right to Request a Hearing filed under Docket No. RCRA-09-2009-0017 (“First Complaint”), and (2) the Determination of Violation, Compliance Order and Notice of Right to Request a Hearing filed under Docket No. RCRA-09-2010-0003 (“Second Complaint”), including any amendment(s) to the Second Complaint, in this matter, as follows:

2. Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. § 22.14(d), the complainant may withdraw the complaint, or any part thereof, without prejudice one time before the answer has been filed.

3. On September 3, 2009, Complainant lodged the First Complaint in this matter.

4. Complainant served a copy of the First Complaint via certified mail, return receipt requested, and by Federal Express, on Robert Pang, President and Registered Agent of ZKW Trading Corp.

5. Robert Pang and EPA agreed to use September 9, 2009, as the effective date of service of the First Complaint for the purposes of enforcing deadlines.

6. Respondent failed to file an answer to the First Complaint within thirty (30) days of service.

7. In January 2010, Complainant filed a Second Complaint, which sought a penalty for Respondent's failure to comply with the final order that resulted from the First Complaint.

8. Complainant served a copy of the Second Complaint by certified mail, return receipt requested, and by Federal Express, on Robert Pang, President and Registered Agent of ZKW Trading Corp. on January 5, 2010.

9. Respondent failed to file an answer to the Second Complaint within thirty (30) days of service.

10. To date, Respondent has not filed any answer to either the First Complaint or Second Complaint.

11. Complainant has not previously filed any withdrawal of the First or Second Complaint, or any part thereof, in this matter.

12. Pursuant to Rule 22.14(d) of the Consolidated Rules of Practice, Complainant hereby withdraws the Second Complaint, without prejudice, RCRA 09-2010-0003.

RESPECTFULLY SUBMITTED,

this 26 day of _____ September 2022

AMY MILLER-
BOWEN

Digitally signed by AMY
MILLER-BOWEN
Date: 2022.09.26 13:10:52
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Amy C. Miller,-Bowen Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region IX

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the Notice of Withdrawal of Complaint without Prejudice in the matter of ZKW Trading Corporation, Docket No. RCRA-09-2010-0003 was filed with the Regional Hearing Clerk, Region IX. and that a true and correct copy of the notice was sent by U.S. mail, first class, to:

Cheuk Fai Robert Pang
218 W. Garvey Avenue, Suite I
Monterey Park, CA 91754

J. Andrew Helmlinger Date
Office of Regional Counsel
U.S. Environmental Protection Agency, Region IX